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**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 180.00**Complete if Known**

Application Number	10/634,897-Conf. #7348
Filing Date	August 6, 2003
First Named Inventor	Terry L. Gilton
Examiner Name	Not Yet Assigned
Art Unit	2813
Attorney Docket No.	M4065.0700/P700-A

METHOD OF PAYMENT (check all that apply)
☐ Check ☒ Credit Card ☐ Money Order ☐ Other ☐ None
☐ Deposit Account:

Deposit Account Number

04-1073

Deposit Account Name

Dickstein Shapiro Morin & Oshinsky LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
-20** =		x	
Independent Claims	-3** =	x	
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180.00**SUBMITTED BY**

Name (Print/Type) Thomas J. D'Amico

Registration No. (Attorney/Agent)

28,371

(Complete (if applicable))

Telephone (202) 828-2232

Signature

Date

July 15, 2004



Docket No.: M4065.0700/P700-A
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Terry L. Gilton et al.

Application No.: 10/634,897

Confirmation No.: 7348

Filed: August 6, 2003

Art Unit: 2813

For: METHODS OF FORMING NON-
VOLATIVE RESISTANCE VARIABLE
DEVICES AND METHODS OF
FORMING SILVER SELENIDE
COMPRISING STRUCTURES

Examiner: Not Yet Assigned

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed after the mailing date of a Final Office Action or Notice of Allowance, whichever occurred first, but on or before payment of the Issue Fee (37 CFR 1.97(d)). Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered.

I hereby certify that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a

counterpart foreign application and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Copies of the references on the PTO/SB/08 are not provided as the application was filed after June 30, 2003.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Please charge our Credit Card in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). Credit Card Payment Form SB-2038, with a signature from an authorized cardholder, is enclosed. The Director is hereby authorized to charge any

Application No.: 10/634,897

Docket No.: M4065.0700/P700-A

deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1073, under Order No. M4065.0700/P700-A.

Dated: July 15, 2004

Respectfully submitted,

By  _____

Thomas J. D'Amico

Registration No.: 28,371

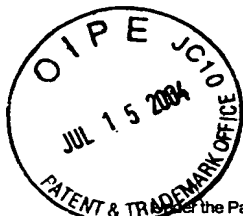
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Attorney for Applicant



PTO/SB/08a/b (08-03)
 Approved for use through 07/31/2006. OMB 0651-0031
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Application Number	10/634,897
				Filing Date	August 6, 2003
				First Named Inventor	Terry L. Gilton
				Art Unit	2813
				Examiner Name	T. H. Nguyen
				Attorney Docket Number	M4065.0700/P700-A
Sheet	1	of	3		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A	US 2004/0035401	2/2004	Ramachandran et al.	
	B	US 2003/0212724	11/2003	Ovshinsky et al.	
	C	US 2003/0048744	3/2003	Ovshinsky et al.	
	D	US 2003/0212725	11/2003	Ovshinsky et al.	
	E	US RE 37,259E	7/2001	Ovshinsky	
	F	US 3,271,591	9/1966	Ovshinsky	
	G	US 3,961,314	6/1976	Klose et al.	
	H	US 3,966,317	6/1976	Wacks et al.	
	I	US 3,983,542	11/1976	Ovshinsky	
	J	US 3,988,720	10/1976	Ovshinsky	
	K	US 4,177,474	12/1979	Ovshinsky	
	L	US 4,267,261	5/1981	Hallman et al.	
	M	US 4,597,162	7/1986	Johnson et al.	
	N	US 4,608,296	8/1986	Keem et al.	
	O	US 4,637,895	1/1987	Ovshinsky et al.	
	P	US 4,646,266	2/1987	Ovshinsky et al.	
	Q	US 4,664,939	5/1987	Ovshinsky	
	R	US 4,668,968	5/1987	Ovshinsky et al.	
	S	US 4,670,763	6/1987	Ovshinsky et al.	
	T	US 4,673,957	6/1987	Ovshinsky et al.	
	U	US 4,678,679	7/1987	Ovshinsky	
	V	US 4,696,758	9/1987	Ovshinsky et al.	
	W	US 4,698,234	10/1987	Ovshinsky et al.	
	X	US 4,710,899	12/1987	Young et al.	
	Y	US 4,728,406	3/1988	Banerjee et al.	
	Z	US 4,737,379	4/1988	Hudgens et al.	
	A1	US 4,766,471	8/1988	Ovshinsky et al.	
	B1	US 4,769,338	9/1988	Ovshinsky et al.	
	C1	US 4,775,425	10/1988	Guha et al.	
	D1	US 4,788,594	11/1988	Ovshinsky et al.	
	E1	US 4,809,044	2/1989	Pryor et al.	
	F1	US 4,818,717	4/1989	Johnson et al.	
	G1	US 4,843,443	6/1989	Ovshinsky et al.	
	H1	US 4,845,533	7/1989	Pryor et al.	
	I1	US 4,853,785	8/1989	Ovshinsky et al.	
	J1	US 4,891,330	1/1990	Guha et al.	
	K1	US 5,128,099	7/1992	Strand et al.	
	L1	US 5,159,661	10/1992	Ovshinsky et al.	
	M1	US 5,166,758	11/1992	Ovshinsky et al.	
	N1	US 5,177,567	1/1993	Klersy et al.	
	O1	US 5,296,716	3/1994	Ovshinsky et al.	
	P1	US 5,335,219	8/1994	Ovshinsky et al.	
	Q1	US 5,359,205	10/1994	Ovshinsky	
	R1	US 5,341,328	8/1994	Ovshinsky et al.	
	S1	US 5,406,509	4/1995	Ovshinsky et al.	
	T1	US 5,414,271	5/1995	Ovshinsky et al.	

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				Filing Date	August 6, 2003
				First Named Inventor	Terry L. Gilton
				Art Unit	2813
				Examiner Name	T. H. Nguyen
Sheet	2	of	3	Attorney Docket Number	M4065.0700/P700-A

	U1	US 5,534,711	7/1996	Ovshinsky et al.	
	V1	US 5,534,712	7/1996	Ovshinsky et al.	
	W1	US 5,536,947	7/1996	Klersy et al.	
	X1	US 5,543,737	8/1996	Ovshinsky	
	Y1	US 5,591,501	1/1997	Ovshinsky et al.	
	Z1	US 5,596,522	1/1997	Ovshinsky et al.	
	A2	US 5,687,112	11/1997	Ovshinsky	
	B2	US 5,694,054	12/1997	Ovshinsky et al.	
	C2	US 5,714,768	2/1998	Ovshinsky et al.	
	D2	US 5,825,046	10/1998	Czubatyj et al.	
	E2	US 5,912,839	6/1999	Ovshinsky et al.	
	F2	US 5,933,365	8/1999	Klersy et al.	
	G2	US 6,011,757	1/2000	Ovshinsky	
	H2	US 6,087,674	7/2000	Ovshinsky et al.	
	I2	US 6,141,241	10/2000	Ovshinsky et al.	
	J2	US 6,339,544	1/2002	Chiang et al.	
	K2	US 6,404,665	6/2002	Lowery et al.	
	L2	US 6,429,064	8/2002	Wicker	
	M2	US 6,437,383	8/2002	Xu	
	N2	US 6,462,984	10/2002	Xu et al.	
	O2	US 6,480,438	11/2002	Park	
	P2	US 6,487,113	11/2002	Park et al.	
	Q2	US 6,501,111	12/2002	Lowery	
	R2	US 6,507,061	1/2003	Hudgens et al.	
	S2	US 6,511,862	1/2003	Hudgens et al.	
	T2	US 6,511,867	1/2003	Lowery et al.	
	U2	US 6,512,241	1/2003	Lai	
	V2	US 6,514,805	2/2003	Xu et al.	
	W2	US 6,531,373	3/2003	Gill et al.	
	X2	US 6,534,781	3/2003	Dennison	
	Y2	US 6,545,287	4/2003	Chiang	
	Z2	US 6,545,907	4/2003	Lowery et al.	
	A3	US 6,555,860	4/2003	Lowery et al.	
	B3	US 6,563,164	5/2003	Lowery et al.	
	C3	US 6,566,700	5/2003	Xu	
	D3	US 6,567,293	5/2003	Lowery et al.	
	E3	US 6,569,705	5/2003	Chiang et al.	
	F3	US 6,570,784	5/2003	Lowery	
	G3	US 6,576,921	6/2003	Lowery	
	H3	US 6,586,761	7/2003	Lowery	
	I3	US 6,589,714	7/2003	Maimon et al.	
	J3	US 6,590,807	7/2003	Lowery	
	K3	US 6,593,176	7/2003	Dennison	
	L3	US 6,597,009	7/2003	Wicker	
	M3	US 6,605,527	8/2003	Dennison et al.	
	N3	US 6,613,604	9/2003	Maimon et al.	
	O3	US 6,621,095	9/2003	Chiang et al.	
	P3	US 6,625,054	9/2003	Lowery et al.	
	Q3	US 6,642,102	11/2003	Xu	
	R3	US 6,646,297	11/2003	Dennison	

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				Art Unit	2813
				Examiner Name	T. H. Nguyen
Sheet	3	of	3	Attorney Docket Number	M4065.0700/P700-A

	S3	US 6,649,928	11/2003	Dennison	
	T3	US 6,667,900	12/2003	Lowery et al.	
	U3	US 6,671,710	12/2003	Ovshinsky et al.	
	V3	US 6,673,648	1/2004	Lowrey	
	W3	US 6,673,700	1/2004	Dennison et al.	
	X3	US 6,674,115	1/2004	Hudgens et al.	
	Y3	US 6,687,427	2/2004	Ramalingam et al.	
	Z3	US 6,690,026	2/2004	Peterson	
	A4	US 6,696,355	2/2004	Dennison	
	B4	US 6,687,153	2/2004	Lowery	
	C4	US 6,707,712	3/2004	Lowrey	
	D4	US 6,714,954	3/2004	Ovshinsky et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.